

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:09-CR-00253-F-1  
No. 5:12-CV-00693-F

ROBERT LEE McQUEEN,	)	
Petitioner,	)	
	)	
v.	)	<u>ORDER</u>
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	

This matter is before the court on Robert Lee McQueen's pending Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-147] and related motions [DE-148, DE-149, DE-150, DE-156].

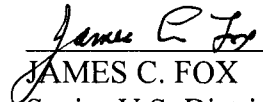
The Government's Memorandum in Support of Motion to Dismiss, contains the following footnote:

If the Court would like additional research or memorandum on any particular subsection of Petitioner's memorandum, Respondent can address those claims for relief in a supplemental memorandum.

[DE-157] at 3 n.1. The court believes that a supplemental memorandum *is* necessary, which fully and fairly addresses each issue raised by McQueen in his section 2255 motion [DE-147] and extensive Memorandum [DE-147-1]. The court notes that McQueen's claims are almost entirely based on ineffective assistance of counsel and should be addressed by application of the relevant two-pronged standard set forth in *Strickland v. Washington*, 466 U.S. 668 (1984). In light of the foregoing, on or before February 16, 2015, the Government is DIRECTED to file its supplemental memorandum.

SO ORDERED.

This, the 2<sup>nd</sup> day of January, 2015.

  
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JAMES C. FOX  
Senior U.S. District Judge